

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MATTHEW WERNER, *individually and on behalf of all others similarly situated*,

Plaintiffs,

-against-

MONDELEZ INTERNATIONAL, INC., a Virginia corporation, MONDELEZ GLOBAL, LLC, a Delaware limited liability company, AND NABISCO, INC., a New Jersey corporation,

Defendants.

ANALISA TORRES, District Judge:

Plaintiff commenced this action on September 16, 2024. *See* ECF No. 2. On October 15, 2024, Plaintiff filed an affidavit of service stating that all Defendants were served on October 3, 2024. ECF No. 9. On November 18, 2024, after more than 21 days had passed from the date of service, Plaintiff requested that the Court extend the deadline for Defendants to answer or otherwise respond to the complaint. ECF No. 10. By order dated November 19, 2024, the Court denied Plaintiff's request because the deadline for Defendants to respond to the complaint had already passed and no Defendant had appeared in this action to join in Plaintiff's request. ECF No. 11.

On November 25, 2024, counsel for Defendants Mondelez International, Inc., and Mondelez Global, LLC (together, the "Mondelez Defendants") entered an appearance on the docket. ECF No. 12. Plaintiff and the Mondelez Defendants now jointly seek an extension, *nunc pro tunc*, of Defendants' deadline to respond to the complaint and the parties' deadline to file their joint letter and proposed case management plan. ECF No. 14; *see* ECF Nos. 6, 11. Defendant Nabisco, Inc., has not appeared on the docket.

Accordingly, by **December 9, 2024**, Plaintiff shall file a letter stating his intention with respect to the prosecution of this matter against Defendant Nabisco, Inc. By **December 20, 2024**, the Mondelez Defendants shall respond to the complaint. And by **January 20, 2025**, all parties shall jointly file their letter and proposed case management plan.

SO ORDERED.

Dated: November 27, 2024  
New York, New York

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 11/27/2024

24 Civ. 6957 (AT)

**ORDER**



ANALISA TORRES  
United States District Judge